Jos jde AL 33 Su Sa Te	torney or Party Name, Address, Telephone & FAX Nos., State Bar No. & nail Address Disciple C. Delmotte (SBN 259460) Elmotte@aldridgepite.com LDRIDGE PITE, LLP B333 Camino del Rio South uite 225 an Diego CA 92108 Elephone: (858) 750-7600 acsimile: (619) 590-1385	FOR COURT USE ONLY
] Individual appearing without an attorney] Attorney for: Financial Services Vehicle Trust	
		BANKRUPTCY COURT IA - SAN FERNANDO VALLEY DIVISION
In re: RAY HUDSON DBA TAX BRACKETS LLC and SAMANEH HUDSON,		CASE NO.: 1:24-bk-11716-MB CHAPTER: 7
		NOTICE OF MOTION AND MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (with supporting declarations) (PERSONAL PROPERTY)
		DATE: January 7, 2025
		TIME: 10:00 a.m.
	Debtor(s).	COURTROOM: 303
Мс	ovant: FINANCIAL SERVICES VEHICLE TRUST	
Hea	aring Location:	
	 255 East Temple Street, Los Angeles, CA 900° 21041 Burbank Boulevard, Woodland Hills, CA 3420 Twelfth Street, Riverside, CA 92501 	
2.	parties that on the date and time and in the courtroon	ponding Parties), their attorneys (if any), and other interested n stated above, Movant will request that this court enter an or nd Debtor's bankruptcy estate on the grounds set forth in the
3.		approved court form at www.cacb.uscourts.gov/forms for use 1.RFS.RESPONSE), or you may prepare your response using nual.

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

4.	When serving a response to the motion, serve a copy of it upon the Movant's attorney (or upon Movant, if the motion was filed by an unrepresented individual) at the address set forth above.					
5.		ou fail to timely file and serve a written response to the ch failure as consent to granting of the motion.	motion, or fail to appear at the hearing, the court may deem			
3.		you must file a written response to this motion with the	rsuant to LBR 9013-1(d). If you wish to oppose this motion, court and serve a copy of it upon the Movant's attorney (or ited individual) at the address set forth above no less than of this motion.			
7.			pursuant to LBR 9075-1(b). If you wish to oppose this an (<i>date</i>); and, you			
	a.	An application for order setting hearing on shorten procedures of the assigned judge).	ed notice was not required (according to the calendaring			
	b.	An application for order setting hearing on shorten motion and order have been or are being served u	ed notice was filed and was granted by the court and such upon the Debtor and upon the trustee (if any).			
	C.	on that application, you will be served with anothe	ed notice and remains pending. After the court has ruled r notice or an order that will specify the date, time and place adline for filing and serving a written opposition to the			
Date	: <u>C</u>	December 12, 2024_	Aldridge Pite, LLP Printed name of law firm (if applicable)			
			Joseph C. Delmotte Printed name of individual Movant or attorney for Movant /s/Joseph Delmotte			
			Signature of individual Movant or attorney for Movant			

MOTION FOR RELIEF FROM THE AUTOMATIC STAY AS TO PERSONAL PROPERTY

1. Movant has a perfected security interest in the Property.

2.	The	e Pr	operty at Issue (Property):		
	a.	\boxtimes	Vehicle (year, manufacturer, type, and model): 2024 BMW iX xDrive 50		
Vehicle Identification Number: WB523CF01RCN99071 Location of vehicle (if known): Movant's Possession_					
	b.		Equipment (manufacturer, type, and characteristics):		
			Serial number(s):		
			Location (if known):		
	C.		Other Personal Property (type, identifying information, and location):		
3.	Ва	nkru	ptcy Case History:		
	a.		A voluntary bankruptcy petition An involuntary bankruptcy petition under Chapter 7 11 12 13 was filed on (<i>date</i>) 10/9/2024 .		
	b.		An order to convert this case to chapter $\ \ \ \ \ \ \ \ \ \ \ \ \ $		
	c.		Plan was confirmed on (<i>date</i>):		
4.	Gre	ound	ds for Relief from Stay:		
	a.	\boxtimes	Pursuant to 11 U.S.C. § 362(d)(1), cause exists to grant Movant the requested relief from stay as follows:		
		(1)			
			(A) Movant's interest in the Property is not protected by an adequate equity cushion.		
			(B) The fair market value of the Property is declining and payments are not being made to Movant sufficient to protect Movant's interest against that decline.		
			(C) Proof of insurance regarding the Property has not been provided to Movant, despite the Debtor's obligation to insure the collateral under the terms of Movant's contract with the Debtor.		
			(D) Other (see attached continuation page).		
		(2)	☐ The bankruptcy case was filed in bad faith.		
			(A) Movant is the only creditor, or one of very few creditors, listed or scheduled in the Debtor's case commencement documents.		

		(B) The Property was transferred to the Debtor either just before the bankruptcy filing or after the filing.
		(C) A non-individual entity was created just prior to the bankruptcy petition date for the sole purpose of filing this bankruptcy case.
		(D) Other bankruptcy cases were filed in which an interest in the Property was asserted.
		(E) The Debtor filed only a few case commencement documents with the bankruptcy petition. Schedules and statement of financial affairs (or chapter 13 plan, if appropriate) have not been filed.
		3) (Chapter 12 or 13 cases only) All payments on account of the Property are being made through the plan and plan payments have not been made to the chapter 12 or chapter 13 trustee for payments due postpetition preconfirmation postpetition postconfirmation.
		4) The lease has matured, been rejected or deemed rejected by operation of law.
		5) 🗵 The Debtor filed a statement of intention that indicates the Debtor intends to surrender the Property.
		6) Movant regained possession of the Property on (<i>date</i>) <u>September 17, 2024</u> , which is prepetition postpetition.
		7) 🗵 For other cause for relief from stay, see attached continuation page.
	b.	Pursuant to 11 U.S.C. § 362(d)(2)(A), the Debtor has no equity in the Property; and, pursuant to 11 U.S.C. § 362(d)(2)(B), the Property is not necessary for an effective reorganization.
5.	Gr	ands for Annulment of the Stay. Movant took postpetition actions against the Property or the Debtor.
	a.	These actions were taken before Movant knew that the bankruptcy petition had been filed and Movant would have been entitled to relief from stay to proceed with those actions,
	b.	Movant knew the bankruptcy case had been filed, but Movant previously obtained relief from stay to proceed with these enforcement actions,
	C.	Other (specify):
6.	\boxtimes	Evidence in Support of Motion: (Declaration(s)must be signed under penalty of perjury and attached to his motion)
	a.	☐ The PERSONAL PROPERTY DECLARATION on page 6 of this motion.
	b.	Supplemental declaration(s).
	C.	The statements made by the Debtor under penalty of perjury concerning Movant's claims and the Property as set forth in Debtor's case commencement documents. Authenticated copies of the relevant portions of the case commencement documents are attached as Exhibit(s)
	d.	Other: Kelley Blue Book Pricing Report for the Property attached hereto as Exhibit 3.

7. An optional Memorandum of Points and Authorities is attached to this motion.

Movant requests the following relief:

1.	Rel	ief from the stay is granted under: ⊠11 U.S.C. § 362(d)(′	I) ⊠11 U.S.C. § 362(d)(2)
2.		Movant (and any successors or assigns) may proceed ur remedies to repossess and sell the Property.	nder applicable nonbankruptcy law to enforce its
3.		Confirmation that there is no stay in effect.	
4.		The stay is annulled retroactive to the petition date. Any remedies regarding the Property do not constitute a viola	
5.		The co-debtor stay of 11 U.S.C. §1201(a) or § 1301(a) is the same terms and conditions as to the Debtor.	terminated, modified or annulled as to the co-debtor, on
6.	\boxtimes	The 14-day stay prescribed by FRBP 4001(a)(3) is waive	d.
7.		The order is binding in any other bankruptcy case purpor the date of entry of such order, except that a debtor in a s based upon changed circumstances or for good cause s	subsequent case may move for relief from the order
8.		The order is binding and effective in any bankruptcy case days, so that no further automatic stay shall arise in that	commenced by or against the Debtor for a period of 180 case as to the Property.
9.		The order is binding and effective in any bankruptcy case interest in the Property for a period of 180 days, so that r	
10.		The order is binding and effective in any future bankrupton without further notice, or upon recording of a cope compliance with applicable nonbankruptcy law.	
11.		If relief from stay is not granted, the court orders adequate	te protection.
12.		See continuation page for other relief requested	
Dat	e:	<u>December 12, 2024</u>	Aldridge Pite, LLP Printed name of law firm (if applicable)
			Joseph C. Delmotte Printed name of individual Movant or attornev for Movant /s/Joseph Delmotte

Signature of individual Movant or attorney for Movant

ATTACHMENT 4.a.(7)

oximes Debtor has failed to make payments to Movant owing under the Lease Agreement (See Personal Property Declaration, $\P 7$).

¹ This Motion for Relief from Automatic Stay shall not constitute a waiver of the within party's right to receive service pursuant to Fed. R. Civ. P. 4, made applicable to this proceeding by Fed. R. Bankr. P. 7004, notwithstanding Aldridge Pite, LLP's participation in this proceeding. Moreover, the within party does not authorize Aldridge Pite, LLP, either expressly or impliedly through Aldridge Pite, LLP's participation in this proceeding, to act as its agent for purposes of service under Fed. R. Bankr. P. 7004.

PERSONAL PROPERTY DECLARATION

Ι,	(nam	e of	declarant)Christopher Dick, declare:
1.	COI	ave perify	ersonal knowledge of the matters set forth in this declaration and, if called upon to testify, I could and would ently testify thereto. I am over 18 years of age. I have knowledge regarding Movant's interest in the Property
	a.		I am the Movant.
	b.	\boxtimes	I am employed by Movant as (title and capacity): Bankruptcy Manager
	c.		Other (specify):
2.	a.		am one of the custodians of the books, records and files of Movant that pertain to loans, leases, or extensions of credit given to Debtor concerning the Property. I have personally worked on books, records and files, and as to the following facts, I know them to be true of my own knowledge or I have gained knowledge of them from the business records of Movant on behalf of Movant, which were made at or about the time of the events recorded, and which are maintained in the ordinary course of Movant's business at or near the time of the acts, conditions or events to which they relate. Any such document was prepared in the ordinary course of business of Movant by a person who had personal knowledge of the event being recorded and had or has a business duty to record accurately such event. The business records are available for inspection and copies can be submitted to the court if required.
	b.		Other (see attached):
3.	The	e Pro	perty is:
	a.	\boxtimes	Vehicle (year, manufacturer, type, model and year): 2024 BMW iX xDrive 50
			Vehicle Identification Number: WB523CF01RCN99071 Location of vehicle (if known): Movant's Possession
	b.		Equipment (manufacturer, type, and characteristics):
			Serial number(s): Location (if known):
	c.		Other personal property (type, identifying information, and location):

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4.	Th	e nature of Debtor's interest in the Property is:
	a.	☐ Sole owner
	b.	Co-owner (specify):
	c. wit	Lessee: Debtor Ray Hudson is the sole Lessee. Co-Debtor Samaneh Hudson is not a party to the lease agreement th Movant.
	d.	Other (specify):
	e.	□ Debtor □ did □ did not □ list the Property in the schedules filed in this case
	_	
5.		The lease matured or was rejected on (date):
	a.	rejected
		(1) by operation of law.
		(2) by order of the court.
	b.	matured.
6.	Мо	ovant has a perfected security interest in the Property.
	a.	A true and correct copy of the promissory note or other document that evidences the debt owed by the Debtor to
		Movant is attached as Exhibit1
	b.	☐ The Property is a motor vehicle, boat, or other personal property for which a certificate of title is provided for
		by state law. True and correct copies of the following items are attached to this motion:
		(1) Certificate of title ("pink slip") (Exhibit _2).
		(2) Vehicle or other lease agreement (Exhibit1).
		(3) Security agreement (Exhibit).
		(4) Other evidence of a security interest (Exhibit):
	c.	☐ The Property is equipment, intangibles, or other personal property for which a certificate of title is not provided
		for by state law. True and correct copies of the following items are attached to this motion:
		(1) Security agreement (Exhibit).
		(2) UCC-1 financing statement (Exhibit).
		(3) UCC financing statement search results (Exhibit).
		(4) Recorded or filed leases (Exhibit):
		(5) Other evidence of perfection of a security interest (Exhibit).
	d.	☐ The Property is consumer goods. True and correct copies of the following items are attached to this motion:
		(1) Credit application (Exhibit).
		(2) Purchase agreement (Exhibit).
		(3) Account statement showing payments made and balance due (Exhibit).
		(4) Other evidence of perfection of a security interest (if necessary under state law) (Exhibit):
Hoteley Scott	e.	Other liens against the Property are attached as Exhibit
		This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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7.	Sta	atus of Movant's debt:						
	a.	The amount of the monthly	payment: \$ _1,425.70					
	b.	Number of payments that b	ecame due and were not tendered: 5 prepetition postpetition					
	c.	Total amount in arrears: \$						
	d.	Last payment received on	(date): <u>4/26/2024</u>					
8.	e.	An additional payment of \$ the26th day o day of the month, a late ch Attached as Exhibit is	e anticipated hearing date (<i>if applicable</i>): will come due on (<i>date</i>) 10/26/2024, and on f each month thereafter. If the payment is not received by the arge of \$ will be charged under the terms of the loan. a true and correct copy of a POSTPETITION payment history that accurately					
		reflects the dates and amou	ints of all payments made by the Debtor since the petition date.					
9.	Am	nount of Movant's debt:						
	c. d.	Costs (attorney's fees, late Advances (property taxes.	\$\\\\ 35,237.69 \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\					
10.		(Chapter 7 and 11 cases of This valuation is based upon	nly) Valuation: The fair market value of the Property is: \$ 64,326.00 on the following supporting evidence:					
	a.	most commonly used s determining the value	for property of this year, make, model, and general features in the reference guide source for valuation data used by Movant in the ordinary course of its business for of this type of property. True and correct copies of the relevant excerpts of the most ference guide are attached as Exhibit					
	b.	☐ This is the value determ	nined by an appraisal or other expert evaluation. True and correct copies of the expert's on are attached as Exhibit					
	C.	☐ The Debtor's admission portions of the Debtor's	ns in the Debtor's schedules filed in the case. True and correct copies of the relevant schedules are attached as Exhibit					
	d.	Other basis for valuation Exhibit 3.	on (specify): Kelley Blue Book Pricing report for the Property is attached hereto as					
	Г	NOTE: If valuation is con	tested, supplemental declarations providing additional foundation for the					
	L		should be submitted.					
11.	Cal	Iculation of equity in Propert	y:					
	a.							
Military		I calculate that the val senior to Movant's de Property.	ue of the "equity cushion" in the Property exceeding Movant's debt and any lien(s) ot is \$(24,020.29) and is _n/a_ % of the fair market value of the					
	This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.							

	b.		. § 362(d)(2)(A)	– Equity:			
		By subtra Paragrap	acting the total ar h 10 above, I ca	mount of all liens on the Prop Iculate that the Debtor's equi	erty from the value ty in the Property i	e of the F s \$ <u>(24</u>	Property as set forth in 1,020.29)
12.		The fair mark	et value of the P	Property is declining because	: Nature of the Col	lateral	
13.	\boxtimes	The Debtor's attached as E	intent is to surre Exhibit4	ender the Property. A true and	d correct copy of th	ie Debto	r's statement of intentions is
14.	\boxtimes	Movant regai	ned possession	of the property on (date) <u>9/17</u>	7/2024, which	is: 🛛 p	prepetition postpetition.
15.				Status of Movant's debt and			
	a. b.	The plan was	nation nearing is confirmed on (<i>ii</i>	ors is currently scheduled for a currently scheduled for (or a fapplicable) (date)	concluded on) (<i>date</i> ——	9)	
		Number of Payments	Number of Late Charges	Amount of Each Payment or Late Charge	Total	ine ming	of the case.
			9	\$	\$		
				\$	\$		
				\$	\$		
				\$	\$		
				\$	\$		
				\$	\$		
				\$	\$		
				\$	\$		
		(See attachm	ent for additiona	I breakdown or information a	ttached as Evhibit		
		(one for additiona	r broakdown or information a	ttacried as Exhibit	·)	
	c.	Postconfirma	tion payments du	ue BUT REMAINING UNPAI	D after the plan co	nfirmatio	n date (if applicable):
		Number of Payments	Number of Late Charges	Amount of Each Payment or Late Charge	Total		in approactor.
		1 dyllicitis	Late Orlarges	\$	\$		
				\$	\$		
				\$	\$		
				\$	\$		
				\$			
				\$	\$		
					\$		
				\$	\$		
	d.			\$ r charges due but unpaid:	\$	\$	
		(For details o	t type and amoui	nt, see Exhibit)			
	e.	Attorneys' fee		nt, see Exhibit)		\$	
	f					10	
	f.			rtial paid balance TITION DELINQUENCY:		\$[\$	1

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	g.		Ine	e pian payment histo	vided for in the chapter 12 or 13 plan and postpetition plan payments are delinquent. bry is attached as Exhibit See attached declaration(s) of chapter 12 trustee or 13 pt of payments under the plan (attach LBR form F 4001-1.DEC.AGENT.TRUSTEE).		
16.		Pro	oof o ure t	f insurance regardin the collateral under t	ng the Property has not been provided to Movant, despite the Debtor's obligation to the terms of Movant's contract with Debtor.		
17.		The	e bai	nkruptcy case was f	iled in bad faith:		
		a.		Movant is the only	creditor or one of few creditors listed in the Debtor's case commencement documents.		
		b.		Other bankruptcy c	ases have been filed in which an interest in the Property was asserted.		
		C.		The Debtor filed on (or chapter 13 plan	ly a few case commencement documents. Schedules and a statement of financial affairs, if appropriate) have not been filed.		
		d.		Other (specify):			
18			The	e filing of the bankru	ptcy petition was part of a scheme to delay, hinder, or defraud creditors that involved:		
		a.		The transfer of all of	or part ownership of, or other interest in, the Property without the consent of Movant or e attached continuation page for facts establishing the scheme.		
		b.			cases affecting the Property:		
			(1)	Case name:			
				Chapter: Date filed:	Case number:		
					Date discharged: Date dismissed: parding this Property		
			(2)	Case name:			
				Chapter: Date filed:	Case number:		
					Date discharged: Date dismissed: arding this Property		
			(3)	Case name:			
				Chapter: Date filed:			
					Date discharged: Date dismissed: arding this Property was was not granted.		
			See	e attached continuati	on page for more information about other bankruptcy cases affecting the Property.		
			See of a	e attached continuati scheme to delay, h	on page for additional facts establishing that the multiple bankruptcy cases were part inder, and defraud creditors.		
19.		Enf	orce larat	ment actions taken tion(s).	after the bankruptcy petition was filed are specified in the attached supplemental		
	a.		The bee	ese actions were taken on entitled to relief fro	en before Movant knew the bankruptcy case had been filed, and Movant would have om stay to proceed with these actions.		

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b.	Although Movant knew the with these enforcement a	ne bankruptcy case was filed, Movant previously obtained relief from stay to proceed actions in prior bankruptcy cases affecting the Property as set forth in Exhibit
c. 🗌	For other facts justifying	annulment, see attached continuation page.
I declare un	der penalty of perjury und	der the laws of the United States that the foregoing is true and correct.
11/14/202	24 Christophe	r Dick
Date	Printed nam	e Signature

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 3333 Camino del Rio South, Suite 225, San Diego, CA 92108

A true and correct copy of the foregoing document entitled: **NOTICE OF MOTION AND MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (with supporting declarations) (PERSONAL PROPERTY)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On December 12, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

U.S. TRUSTEE: ATTORNEY FOR DEBTOR: TRUSTEE: ustpregion16.wh.ecf@usdoj.gov William G Silverstein David Keith Gottlieb (TR) cacb@sorehands.com dkgtrustee@dkgallc.com ☐ Service information continued on attached page 2. SERVED BY UNITED STATES MAIL: On December 12, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed. PRESIDING JUDGE: **DEBTOR:** Honorable Martin R. Barash Ray Hudson United States Bankruptcy Court 4955 Calle Robleda Central District of California Agoura, CA 91301 21041 Burbank Boulevard, Suite 342 / Courtroom 303 Woodland Hills, CA 91367 Samaneh Hudson 4955 Calle Robleda Agoura, CA 91301 Service information continued on attached page 3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _______, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed. Service information continued on attached page I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. December 12, 2024 Michael Leewright /s/ Michael Leewright Date Printed name Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

June 2014